



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,594	08/19/2003	Tony N. Frudakis	DNA1170-2	6207
28213	7590	05/10/2007		
DLA PIPER US LLP 4365 EXECUTIVE DRIVE SUITE 1100 SAN DIEGO, CA 92121-2133			EXAMINER AGRAWAL, RITESH	
			ART UNIT 1631	PAPER NUMBER
			MAIL DATE 05/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No. 10/644,594	Applicant(s) FRUDAKIS ET AL.	
	Examiner Ritesh Agrawal	Art Unit 1631	

All Participants:

(1) Ritesh Agrawal.

(2) John Brusca.

Date of Interview: 9 May 2007

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Status of Application: Pending

(3) Daryl Basham.

(4) _____

Time: 2 PM

Part I.

Rejection(s) discussed:

Claims discussed:

All

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

JOHN S. BRUSCA, PH.D
PRIMARY EXAMINER

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicants were informed that should they choose to limit their claims to those SEQ ID NOs (70, 1, 3, 7, 8, 11, 21, 40, 59, 63, and 331) already searched by the office, no further restriction requirement would be necessary. Should applicants desire coverage for a different set of SEQ ID NOs, applicants will receive a restriction requirement requiring the election of a single set of SEQ IDs for prosecution on the merits. The set of elected SEQ ID NOs may contain any number of SEQ IDs from 1-331, but will be limited thereto.

Furthermore, applicants were informed that the claims would be subject to a new grounds of rejection under 112 1st paragraph. Applicants were instructed that in order to obviate the scope of enablement rejection, the claims must contain limitations that describe the specific set of traits with which applicants' SEQ IDs are associated, as disclosed in their specification.

A